

Remarks

Claims 2-9 remain in the application for consideration of the Examiner with claims 1 and 10 standing canceled.

Reconsideration and the withdrawal of the outstanding rejections are respectfully requested in light of the above amendments and following remarks.

During a telephone conversation with the Examiner, the Applicant and Examiner agreed that claims 1- 9 should be pending, leaving only claim 10 withdrawn. Consequently, Applicant has placed claim 9 with the pending claims.

Claims 1-8 were rejected under 35 USC Section 112, second paragraph as being indefinite.

Claim 1 has been canceled, and the amended subject matter of claim 1 has been added to claims 4-8, taking into consideration the helpful comments of the Examiner set forth in the Office Action.

It is respectfully submitted that claims 2-9 are in full compliance with 35 USC Section 112 and particular points out and distinctly claims the subject matter which the Applicant believes is his invention.

Turning now to the art rejections, claims 1-3 were rejected under 35 USC Section 102(e) as being anticipated by Caplan and claims 1 and 3 were rejected under 35 USC Section 102(b) as being anticipated by Ono.

The cancellation of claim 1 and the amendment of claims 2 and 3 to depend from an allowable claim obviate the rejection of these claims.

Applicant appreciates the indication that if claims 4-8 were rewritten to overcome the rejection under 35 USC Section 112 second paragraph, these claims would be allowable.

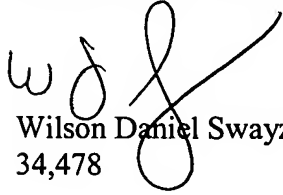
By the instant amendment, claims 4-8 have been placed in independent form, and it is respectfully submitted that the rejection under 35 USC section 112, second paragraph as been overcome.

Additionally, claims 2 and 3 have been amended to depend from now allowable independent claim 4. Consequently, it is respectfully submitted that these claims are now allowable.

While it is believed that the instant response places the application in condition for allowance, should Examiner have any further comments or suggestions, it is recently requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

If the Examiner should have any questions, Applicant's legal representative can be contacted at 214-893-8886.

Respectfully submitted;

A handwritten signature in black ink, appearing to read 'W D Swayze, Jr.', with a large, stylized flourish at the end.

Wilson Daniel Swayze, Jr.
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